



CITY CLERK

CITY OF SAN JOSÉ, CALIFORNIA

801 NORTH FIRST STREET
SAN JOSE, CA 95110
(408) 277-4424

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA)
CITY OF SAN JOSE)

I, Andrea Membreno, City Clerk and Ex-Officio Clerk of the Council of the and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that "Ordinance No. 23191," the original copy of which is attached hereto, was passed for publication of title on the 20th day of June, 1989, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the 27th day of June, 1989, by the following vote:

AYES: ALVARADO, BEALL, HAMMER, HEAD, IANNI, LEWIS, STABILE,
WILLIAMS: McENERY

NOES: NONE

ABSENT: SAUSED0

DISQUALIFIED: RYDEN

Said ordinance is effective on July 28, 1989.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this 7th day of July, 1989.

(SEAL) Andrea Membreno
ANDREA MEMBRENO
CITY CLERK AND EX-OFFICIO
CLERK OF THE CITY COUNCIL

CITY OF SAN JOSE
COUNTY OF SANTA CLARA, STATE OF CALIFORNIA

ORDINANCE NO. 23191

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN JOSE
ESTABLISHING AN UNDERGROUND UTILITY DISTRICT
ON MONTEREY HIGHWAY FROM WILLOW STREET TO CURTNER AVENUE

WHEREAS, by Resolution No. ⁶¹³⁹⁰~~63190~~, the City Council of San Jose called a Public Hearing for JUNE 20, 1989, at 1:30 p.m., in the Council Chambers of the City of San Jose, City Hall, 801 N. First Street, at the corner of First and Mission Streets, to ascertain whether an underground utility district be established in the area designated as "MONTEREY HIGHWAY FROM WILLOW STREET TO CURTNER AVENUE" (hereinafter called "District") and more fully described and shown on EXHIBIT A and EXHIBIT B attached to said resolution; and

WHEREAS, written notice of said hearing has been given pursuant to Section 15.24.060 of the San Jose Municipal Code, such hearing has been duly and regularly held, and all persons interested have been given a reasonable opportunity to be heard;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of San Jose:

SECTION 1. The City Council pursuant to Chapter 15.24 of the San Jose Municipal Code, hereby finds and determines that the public necessity, health, safety, and welfare require and it is in the general public interest that existing poles and overhead wires within the District be removed therefrom and thereafter prohibited and that wires and associated facilities within the District for transmitting, conducting, conveying, distributing, or supplying electricity for the purpose of providing light, heat, power, telephone, telegraph, communication, television, or other similar or associated service be installed underground.

Excepted from the provisions of this Ordinance are overhead service drops which are extended from poles or spans located outside of this District.

The existing overhead service drops which are extended from poles or spans located within the District shall be undergrounded in their entirety to the point of connection on the property owner's structure.

SECTION 2. The City Council hereby declares that a certain area of the City of San Jose hereinafter described on EXHIBIT A and shown on EXHIBIT B, attached hereto, made a part hereof, and incorporated herein by reference is established as an underground utility district to be designated "MONTEREY HIGHWAY FROM WILLOW STREET TO CURTNER AVENUE" and orders and requires that existing poles and overhead wires within said District be removed therefrom and thereafter prohibited and that wires and associated facilities within said District for transmitting, conducting, conveying, distributing, or supplying electricity for the purpose of providing light, heat, power, telephone, telegraph, communication, television, or other similar or associated service be installed underground subject to all of the provisions and exceptions contained in Part 3, Chapter 15.24, of the San Jose Municipal Code.

SECTION 3. Existing poles and overhead wires must be removed from the District not later than JANUARY 31, 1992. Wires and associated facilities within the District for transmitting, conducting, conveying, or supplying electricity for the purpose of providing heat, power, telephone, telegraph, communication, television, or other similar or associated service shall be installed underground not later than JANUARY 31, 1992.

Persons owning any property within the District must be ready to receive light, heat, power, telephone, telegraph, communications, television or other similar or associated service by means of underground wires and facilities not later than SEPTEMBER 30, 1991.

SECTION 4. The City Council does hereby request that the Pacific Gas & Electric Company and Pacific Bell use the underground conversion allocation computed pursuant to Rule 20A and Rule 32 respectively of the Public Utilities Commission of the State of California for the purpose of providing as part of an underground service lateral to each qualifying premise in the District a maximum of one hundred (100) feet (measured from the property line) of individual electric service trenching and underground conductor as well as backfill, paving, and conduit, if required. Each property owner shall be responsible for the installation and maintenance of the conduit and termination box located on, under, or within any structure on the premise served. The underground service lateral provided as set forth above, shall be installed within the limits from the service connection point within the sidewalk area to the required termination box located on the structure or premise.

MONTEREY HIGHWAY FROM WILLOW
STREET TO CURTNER AVENUE

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SECTION 5. The Director of Public Works is hereby directed to give written notice to all affected Utilities and owners of affected property in said District pursuant to Sections 15.24.150 and 15.24.160 of the San Jose Municipal Code.


SECTION 6. The Director of Public Works may give written notice to any noncompliant property owners or occupants in said District pursuant to Section 15.24.170 of the San Jose Municipal Code. Said notice may be given in lieu of a notice to the Utility Companies for disconnection of service pursuant to Section 15.24.130 of the San Jose Municipal Code.

PASSED FOR PUBLICATION OF TITLE on the 20th day of June, 1989, by the following vote:

AYES: ALVARADO, BEALL, HAMMER, HEAD, IANNI, LEWIS, SAUSED0,
STABILE, WILLIAMS; McENERY

NOES: NONE

ABSENT: RYDEN


THOMAS McENERY, MAYOR

ATTEST:


ANDREA MEMBRENO, CITY CLERK

KSB:SC:sc
MRORD

Attachments:
Exh. A, Description
Exh. B, Map

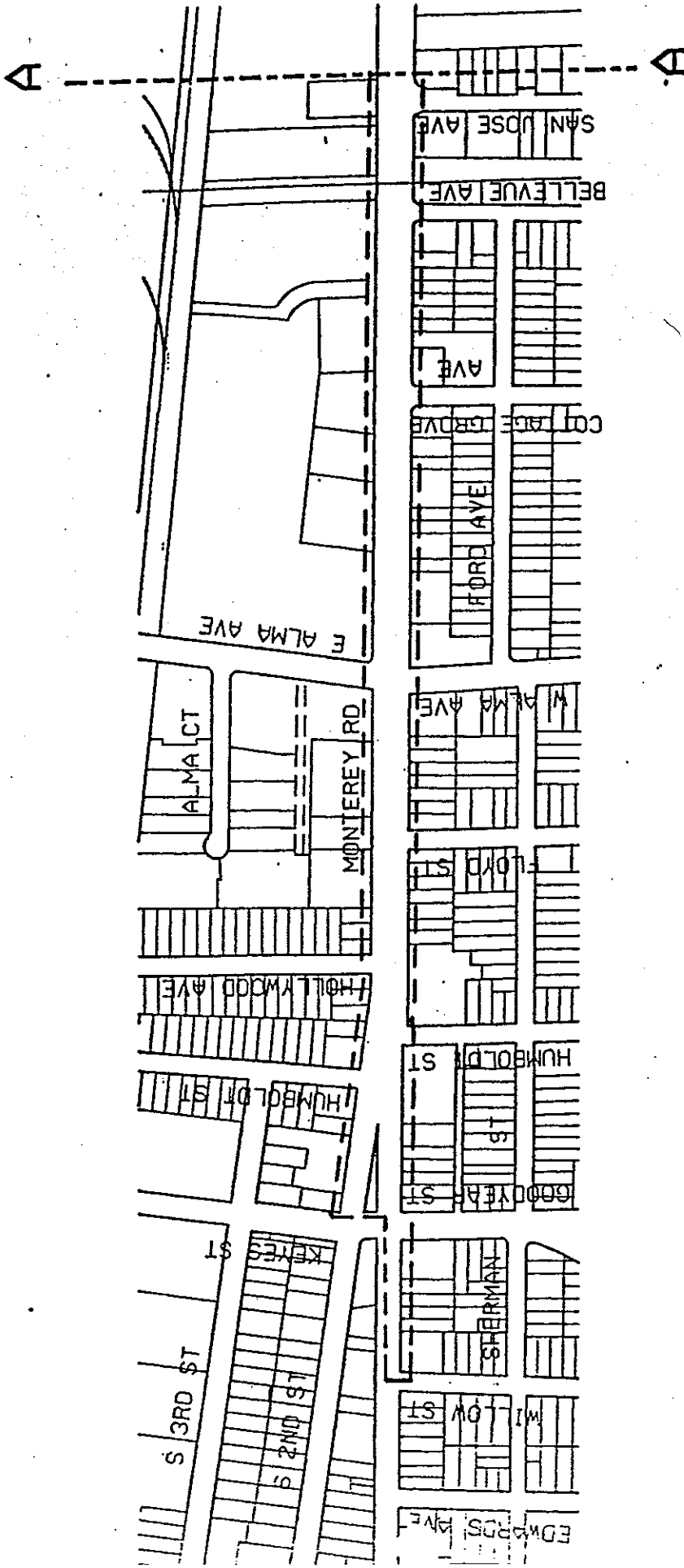
EXHIBIT A

DESCRIPTION OF 20A UNDERGROUND UTILITY DISTRICT

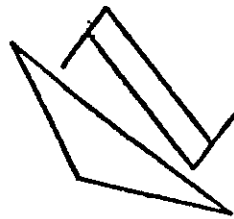
MONTEREY HIGHWAY FROM WILLOW STREET TO CURTNER AVENUE

Beginning at the southwesterly corner of Monterey Highway and Willow Street; thence proceeding in southeasterly direction 8400± feet along the westerly right-of-way line of Monterey Highway to the point of intersection with the northwesterly corner of Curtner Avenue and Monterey Highway; thence proceeding northeasterly 120± feet along a line perpendicular to said westerly right-of-way line of Monterey Highway to the easterly right-of-way line of Monterey Highway; thence proceeding in a northwesterly direction 7400± feet along said easterly right-of-way line to the point of intersection with the northeasterly corner of Hollywood Avenue and Second Street; thence proceeding in a northeasterly direction 750± feet along the easterly right-of-way line of Second Street to the point of intersection with the southeasterly corner of Keyes Street and Second Street; thence proceeding southwesterly 120± feet along a line perpendicular to said easterly right-of-way line of Second Street to the easterly right-of-way line of Monterey Highway; thence proceeding northwesterly 500± feet along said easterly right-of-way line of Monterey Highway to the point of intersection with the southeasterly corner of Willow Street and Monterey Highway; thence proceeding southwesterly along a line perpendicular to said easterly right-of-way of Monterey Highway to the point of beginning.

MRUD/SC



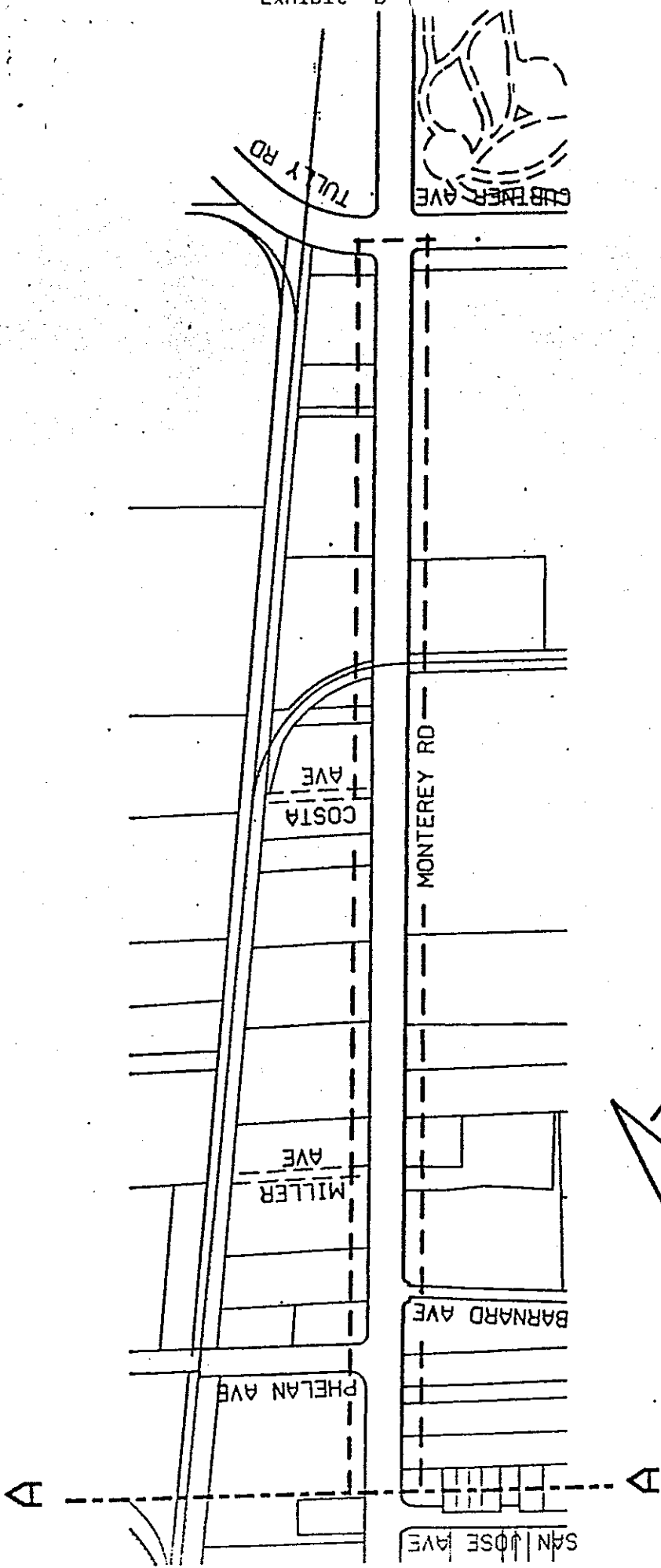
CITY OF SAN JOSE
UNDERGROUND UTILITY
DISTRICT
MONTEREY ROAD
(WILLOW ST TO CURTNER AVE)



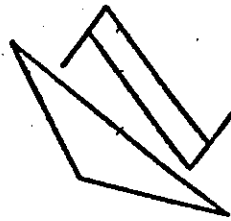
SCALE: 1" = 500'

LEGEND

--- UNDERGROUND DISTRICT BOUNDARY



CITY OF SAN JOSE
 UNDERGROUND UTILITY
 DISTRICT
 MONTEREY ROAD
 (WILLOW ST TO CURTNER AVE)



SCALE: 1" = 500'